

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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ARTURO TORRES OCHOA,

Plaintiff,

v.

R. SPIERS, et al.,

Defendants.

Case No. 3:14-cv-00112-MMD-VPC

ORDER

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections, has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983. Petitioner has not submitted an application to proceed *in forma pauperis*. However, on at least three occasions this Court has dismissed actions commenced by plaintiff while he was a prisoner because they were frivolous or malicious or because they failed to state a claim upon which relief can be granted.<sup>1</sup> Plaintiff cannot proceed *in forma pauperis* in this action unless he is in imminent danger of serious physical injury. See 28 U.S.C. § 1915(g). Plaintiff has not alleged, and the subject matter of this action does not indicate, that he is in imminent danger of serious physical injury. Plaintiff must pre-pay the filing fee in full.


It is therefore ordered that plaintiff shall pay the full filing fee of three hundred fifty dollars (\$350.00) within thirty (30) days of the date that this order is entered. Failure to comply with this order will result in the dismissal of this action.

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<sup>1</sup>See *Ochoa v. Cook*, 3:02-cv-00450-DWH-RAM; *Ochoa v. Willis*, 3:02-cv-00545-ECR-VPC; *Ochoa v. Putter*, 3:10-cv-00364-HDM-RAM.

1 It is further ordered that the Clerk of the Court shall provide plaintiff with two (2)  
2 copies of this order. Plaintiff is ordered to make the necessary arrangements to have  
3 one (1) copy of this order attached to the check in the amount of the designated fee.

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5 DATED THIS 4<sup>th</sup> day of March 2014.

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8 MIRANDA M. DU  
9 UNITED STATES DISTRICT JUDGE  
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